

From: Donald Maddox/DC/USEPA/US
Sent: 1/23/2012 1:03:49 PM
To: Nelida Torres/DC/USEPA/US@EPA
CC: Janice Donlon/R3/USEPA/US@EPA
Subject: Re: Fw: Cabot Statement

Yes.

Don Maddox
Office of the Deputy Administrator
U.S. Environmental Protection Agency
email: maddox.donald@epa.gov
Office: 202.564.8443
Direct: 202.564.7207

From: Nelida Torres/DC/USEPA/US
To: Donald Maddox/DC/USEPA/US@EPA, Janice Donlon/R3/USEPA/US@EPA
Date: 01/23/2012 12:57 PM
Subject: Re: Fw: Cabot Statement

Can we do this tomorrow at 4:30 pm?

Nelida Torres (Nelly)
U. S. EPA, Office of Solid Waste & Emergency Response
Room 3146C West Building
202-564-5767

From: Donald Maddox/DC/USEPA/US
To: Janice Donlon/R3/USEPA/US@EPA, Nelida Torres/DC/USEPA/US@EPA, Teresa Hill/DC/USEPA/US@EPA
Cc: Ann Campbell/DC/USEPA/US@EPA
Date: 01/23/2012 07:40 AM
Subject: Fw: Cabot Statement

Ex. 5 - Deliberative

This is what we have available on our end. Let me know what you can do on your end and we will go from there.

Good morning, everyone! It is Monday.

Available times:

12:30 pm - 1:00 pm - 30 minutes

2:00 pm - 2:30 pm - 30 minutes

3:30 pm - 4:00 pm - 30 minutes

4:30 pm - 5:15 pm - 45 minutes

Don Maddox
Office of the Deputy Administrator
U.S. Environmental Protection Agency
email: maddox.donald@epa.gov
Office: 202.564.8443
Direct: 202.564.7207

----- Forwarded by Donald Maddox/DC/USEPA/US on 01/23/2012 07:33 AM -----

From: Bob Sussman/DC/USEPA/US
To: Shawn Garvin/R3/USEPA/US@EPA
Cc: Betsaida Alcantara/DC/USEPA/US@EPA, Brendan Gilfillan/DC/USEPA/US@EPA, Lisa Feldt/DC/USEPA/US@EPA, Mathy Stanislaus/DC/USEPA/US@EPA, Donald Maddox/DC/USEPA/US@EPA
Date: 01/21/2012 05:22 PM
Subject: Re: Fw: Cabot Statement

Great Shawn. Please let us know whether additional resources will help with the workload!

Don't know if we have a call scheduled for Monday but we should. Don?

Robert M. Sussman
Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

From: Shawn Garvin/R3/USEPA/US
To: Bob Sussman/DC/USEPA/US@EPA
Cc: Betsaida Alcantara/DC/USEPA/US@EPA, Brendan Gilfillan/DC/USEPA/US@EPA, Lisa Feldt/DC/USEPA/US@EPA, Mathy Stanislaus/DC/USEPA/US@EPA
Date: 01/21/2012 05:18 PM
Subject: Re: Fw: Cabot Statement

We are working on all of it. Will get you an update on Monday.

----- Original Message -----

From: Bob Sussman
Sent: 01/21/2012 05:13 PM EST
To: Shawn Garvin
Cc: Betsaida Alcantara; Brendan Gilfillan; Lisa Feldt; Mathy Stanislaus
Subject: Re: Fw: Cabot Statement

Ex. 5 - Deliberative

Robert M. Sussman

Senior Policy Counsel to the Administrator
Office of the Administrator
US Environmental Protection Agency

From: Shawn Garvin/R3/USEPA/US
To: Bob Sussman/DC/USEPA/US@EPA, Betsaida Alcantara/DC/USEPA/US@EPA, Mathy Stanislaus/DC/USEPA/US@EPA, Brendan Gilfillan/DC/USEPA/US@EPA, "Lisa Feldt" <Feldt.Lisa@epamail.epa.gov>
Date: 01/21/2012 11:18 AM
Subject: Fw: Cabot Statement

FYI...

----- Original Message -----

From: Humane Zia
Sent: 01/21/2012 10:29 AM EST
To: Shawn Garvin
Cc: Cecil Rodrigues; Dennis Carney; Joan Schafer; Jon Capacasa; KarenD Johnson; Kathy Hodgkiss; Michael Kulik; Roy Seneca; Terri-A White
Subject: Re: Cabot Statement
THIS MEMO MAY CONTAIN PRIVILEGED ATTORNEY-CLIENT COMMUNICATIONS

We received Cabot's 104(e) response starting on January 10. We have received about 4 letters with attached CDs from them (in a rolling response), between 1/10 and 1/16. Our 104(e) was sent 1/6.

I haven't looked at the CDs so can't say how many pages are on them.

-Humane

Humane L. Zia
Senior Assistant Regional Counsel
U.S. Environmental Protection Agency - Region III
Office of Regional Counsel
1650 Arch Street (3RC41)
Philadelphia, PA 19063-2029
215.814.3454 / 215.814.2603 fax

From: Shawn Garvin/R3/USEPA/US
To: Dennis Carney/R3/USEPA/US@EPA, Kathy Hodgkiss/R3/USEPA/US@EPA, Michael Kulik/R3/USEPA/US@EPA, Terri-A White/R3/USEPA/US@EPA, Roy Seneca/R3/USEPA/US@EPA, Joan Schafer/R3/USEPA/US@EPA, Jon Capacasa/R3/USEPA/US@EPA, KarenD Johnson/R3/USEPA/US@EPA, Humane Zia/R3/USEPA/US@EPA, Cecil Rodrigues/R3/USEPA/US@EPA
Date: 01/21/2012 10:10 AM
Subject: Re: Cabot Statement

Dennis - Thanks, totally understood. Just looking to get a perspective.

Shawn

From: Dennis Carney
Sent: 01/21/2012 07:57 AM EST
To: Shawn Garvin; Kathy Hodgkiss; Michael Kulik; Terri-A White; Roy Seneca; Joan Schafer; Jon Capacasa; KarenD Johnson; Humane Zia; Cecil Rodrigues

Subject: Re: Cabot Statement

Shawn, I'll defer to Humane on an exact date but their response to the 104e was received approximately 10 days ago. Reviews were started promptly but it is thousands of pages on a CD and will frankly take weeks to get thru it. Dennis.

From: Shawn Garvin

Sent: 01/20/2012 11:25 PM EST

To: Kathy Hodgkiss; Michael Kulik; Terri-A White; Roy Seneca; Joan Schafer; Jon Capacasa; Dennis Carney; KarenD Johnson; Humane Zia; Cecil Rodrigues

Subject: Re: Cabot Statement

Thanks. I am also interested on when we received the information.

Have a good weekend.

From: Kathy Hodgkiss

Sent: 01/20/2012 10:38 PM EST

To: Shawn Garvin; Michael Kulik; Terri-A White; Roy Seneca; Joan Schafer; Jon Capacasa; Dennis Carney; KarenD Johnson; Humane Zia; Cecil Rodrigues

Subject: Re: Cabot Statement

Cabot replied to a recent 104(e) letter, submitting its response on a CD. Not sure how many pages. Sending this to Humane and Karen Johnson who may have some sense of the size of the reply.

From: Shawn Garvin

Sent: 01/20/2012 09:02 PM EST

To: Michael Kulik; Betsaida Alcantara; Brendan Gilfillan; Terri-A White; Kathy Hodgkiss; Roy Seneca; Joan Schafer; Jon Capacasa; Dennis Carney

Subject: Re: Cabot Statement

Jon, Kathy & Dennis - Can you give me an answer to statement that Cabot has given us over 10K pages of data.

Thanks - Shawn

From: Michael Kulik

Sent: 01/20/2012 08:18 PM EST

To: Betsaida Alcantara; Brendan Gilfillan; Shawn Garvin; Terri-A White; Kathy Hodgkiss; Roy Seneca; Joan Schafer

Subject: Fw: Cabot Statement

Here it is

to -----\Sent by EPA Wireless E-Mail Services.

From: Michael Kulik [michaelkulik@msn.com]

Sent: 01/20/2012 08:15 PM EST

To: Michael Kulik

Four Points on EPA Sampling Decision at Dimock, PA

Cabot Oil & Gas Corporation and others look forward to continuing our efforts to coordinate with the Dimock community and with state and federal regulators to address concerns regarding shale development in the area. We are disappointed that the federal EPA has undertaken a course regarding water sampling that seems inconsistent with what is known about Dimock and what was recommended by state regulators. EPA's zig-zag approach has caused confusion that undermines important policy goals of the United States to ensure safe, reliable, secure and clean energy sources from domestic natural gas.

Here are four important points to consider:

- EPA has presented no credible evidence to suggest that its new sampling initiative is a wise use of resources given the collection and analysis of over 2000 water wells that has already occurred in the area. More than ten thousands pages of this data have been provided to EPA.
- EPA's concerns are inconsistent with the findings of state regulators who have concluded after extensive investigation that Dimock drinking water meets regulatory standards. State regulators are closest to the facts, and most familiar with ground water and geological formations in the area.
- EPA's initiative marks a change in position for the Agency, unsupported by any new facts. As recently as December 2011, EPA told Dimock residents that their drinking water did not present a health threat.
- What is needed is an objective approach to dealing with community concerns - something missing in recent EPA actions. EPA's changing posture on sampling in

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Dimock is indicative of a broader problem of inconsistency with scientific process and a lack of cooperation with state and private sector parties. Cabot hopes that we can work with EPA to further review existing data and to establish a firmer basis for Agency decision making.